THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.3755 OF 2007

DATED 27-02-2007

Between:

Islamia Educational Society and others.

…**Petitioner**

And

Municipal Corporation of Hyderabad & Ors.

…**Respondents**

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.3755 OF 2007

O R D E R *(Per the Hon'ble Sri Justice Bilal Nazki):*

This Writ Petition has been filed challenging the demand notice dated 15-02-2007 issued by the respondents for payment of property tax.

The learned Counsel for the petitioner submits that the petitioner being an educational institution is exempt from payment of tax under G.O.Ms.No.468 MA dated
31-07-1993.

We have already considered the impact of this Government Order in a judgment reported in ***A.V.Education Society, Hyderabad v. The Municipal Corporation of Hyderabad and another***[1]. In the said judgment, we found that the directions given under G.O.Ms.No.468, dated 31-07-1993 were inconsistent and contrary to the provisions of Section 202 of the Hyderabad Municipal Corporation Act, 1955 (for short 'the Act'). Since it was argued that the Government had the power to

issue directions under Section 679-E of the Act, we had also considered the impact of Section 679–E of the Act, which gives power to the Government to issue directions, which are not inconsistent with the provisions of the Act.

Accordingly, we dismiss the Writ Petition as the matter is covered by the judgment cited supra. No costs.

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(***Bilal Nazki, J***)

Dated 27th February, 2007

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(***Nooty Ramamohana Rao,J***)

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[1] **2006(3) ALD 657 (DB)**